



# URBAN AGRICULTURE IN THE CITY OF GRAND RAPIDS: CONSIDERATIONS FOR FUTURE PLANNING AND ZONING RECOMMENDATIONS (DRAFT)

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## SUMMARY

In 2015 through their partnership with the W.K. Kellogg Foundation, the YMCA provided Urban Roots with funds to research the current urban agriculture (UA) policy landscape, and shed light on challenges that the current zoning language may pose to expansion of UA initiatives. The grant was intended to build capacity among small scale urban farmers to grow and distribute produce locally, particularly in vulnerable neighborhoods in our city's urban core. Because many conversations about issues related to UA quickly deferred to a potential challenges with comprehensive policy, it was deemed an important item to begin assessing and evaluating in the City of Grand Rapids.

While UA / community gardens are becoming more popular in the public lexicon, the differences between the two are hardly understood. Per Table 5.6.06.B of the current zoning ordinance (effective 9/16/2008; amended 9/23/2014), there are allocations made for community gardens. However, with a wide variety of other UA endeavors being explored - including beekeeping, agriculture, aquaponics, market farming, farm stands and backyard chickens, the public dialogue around these topics is likely to only continue increasing.

According to Issue Number 3 of Zoning Practice (Entitled Practice Urban Agriculture), "Planners interested in urban agriculture can do valuable work by reviewing and redesigning ordinances related to urban agriculture." (pg 3.10)

This paper focused on understanding the various goals and interests of these parties and making recommendations based on the similar markets. With a goal of helping to foster a healthy, productive, and collaborative approach to solutions that work with the whole city, Urban Roots has been working with established area organizations to advocate for potential recommendations to support UA initiatives in West Michigan

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## HISTORY OF URBAN AGRICULTURE

The following history is a helpful guide from Issue Number 3 of the American Planning Association Journal: Zoning Practice.

*Urban gardening, a major component of urban agriculture, has a long history in the United States. Urban garden programs are frequently cooperative enterprises providing space and resources for city dwellers to grow vegetables and flowers, such as relief gardens, children's gardens, neighborhood gardens, and entrepreneurial gardens.*

*The history of urban gardening begins with school gardens and vacant-lot cultivation efforts during the recession of the late 1800s, which were followed by the school garden movement and civic improvement gardens inspired by the City Beautiful movement. Citizens groups, which were sometimes supported by city governments, typically organized these early efforts in urban farming.*

*During the turmoil of World War I, the Great Depression, and World War II, urban agriculture was largely a tool of food security. In contrast to prior gardening movements, these relief and victory gardens were legitimized and supported by federal government education campaigns, and they provided nutrition and psychological support in hard times.*

*Retail grocers have displaced the decentralized food production of urban gardening efforts. Thus, instead of federal efforts to foster gardening as the urbanite's "citizen duty," gardening became the suburbanite's hobby. As the role of government faded, urban gardening became a niche activity until revived by concerns in the 1960s and '70s over the energy crisis, food quality and price, environmental problems, and urban decline. Unlike in the past, however, government ignored this reemergence. Instead, gardens were part of community organizing efforts that spawned many local and national organizations devoted to community greening in a broad social and physical sense. Over the course of the next few decades gardening gained momentum, and numerous organizations sprang up to experiment with new models of intensive urban agriculture to generate income, particularly in deindustrialized cities with ample vacant land and not enough jobs.*

*In the 1990s and 2000s, urban agriculture was marginalized and occasionally imperiled by the development boom and gentrification. However, responsive cities began formulating policy to protect and encourage urban agriculture in response to community pressure, but also from the recognition that urban agriculture can improve public health, contribute to neighborhood revitalization and community economic development, and help promote "green" cities.*

While considering this background information, we believe that the City of Grand Rapids in strategic and timely situation to continue further embracing more comprehensive zoning language to support UA as a means of "improving public health, contributing to neighborhood revitalization and community economic development, and help promote 'green' cities."

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## DEFINITIONS

While urban farms differ in their nature, their goals, their organizational structure, their funding sources, and their communities, a collective definition is as follows:

*Urban Farm: An intentional effort by an individual or a community to grow its capacity for self-sufficiency through the cultivation of plants and / or animals.*

Examples of urban agriculture include:

- Backyard gardening or edible landscapes, which primarily provide food products for an individual household
- Community gardening, which is done communally in a public space
- Rooftop gardening
- Beekeeping
- Urban production of food crops sold in local markets

The following definitions were taken with permission from the City of Detroit City Planning Commission:

### DEFINITIONS

Aquaculture	The cultivation of marine or freshwater food fish, shellfish, or plants under controlled conditions.
Aquaponics	The integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants .
Compost	Relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and also including raw and uncooked kitchen food wastes, but specifically excluding bones, meat; fat, grease, oil, raw manure, and milk products.
Contractor yard, landscape or construction	A yard used for the outdoor storage of a construction or landscape contractor's vehicles, equipment, and materials, including plant materials and contained soil.
<sup>1</sup> Farmers Market	A pre-designated non-municipally owned or operated area, with or without temporary structures, where vendors and individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale, sell vegetables or produce, flowers,' orchard products, locally-produced packaged food products and/or animal agricultural products.
Farm Stand	A temporary structure, accessory to an urban garden or urban farm for the display and sale of vegetables or produce, flowers, orchard products, locally-produced packaged food products and similar non-animal agricultural products grown or produced on the general property of the urban garden or urban farm upon which the stand is located.
Garden Center	See Greenhouse
Greenhouse	A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for personal use and/or for subsequent sale. A greenhouse may or may not be a permanent structure. Garden ' centers are not greenhouses. Garden centers, which may include a nursery or greenhouse as an accessory use, import most of the items sold-items such as plants, potting soil, and garden equipment. Garden centers shall be considered "stores of a generally reorganized retail nature" for regulatory purposes.

Hoophouse or High Tunnel	An unheated structure whose roof and sides are made largely of transparent or translucent material (not glass) for the purpose of the cultivation of plants for personal use and/or for subsequent sale.
Hydroponics	A method of growing plants without soil, using mineral nutrient solutions or water, or in an inert medium such as perlite, gravel, or mineral wool.
Orchard	The establishment, care, and harvesting of a group of more than ten (10) fruit or nut bearing trees. The products of an orchard may or may not be for commercial purposes. An orchard as a principal use is considered an urban farm.
Rainwater Catchment System	A method of catching rainwater runoff from the roof of a structure into rain gutters that channel into a rain barrel, drum, or cistern.
Tree Farm	Any parcel of land used to raise or harvest more than ten (10) trees for wood products or Christmas trees, or for transplant, where forest products are sold on-site or transported to market. A tree farm as a principal use is considered an urban farm.
Urban Farm	A zoning lot, as defined in this article, over one acre, used to grow and harvest food crops and/or non-food crops for personal or group use. An orchard or tree farm that is a principal use is considered an urban farm. An urban farm may be divided into plots for cultivation by one or more individuals and/or groups or may be cultivated by individuals and/or groups collectively. The products of an urban farm may or may not be for commercial purposes.
Urban Garden	A zoning lot, as defined in this article, up to one acre of land, used to grow and harvest food or non-food crops for personal or group use. The products of an urban garden may or may not be for commercial purposes.



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## CHALLENGE STATEMENT

Drive through nearly any major metropolitan city in 2015, and you will quickly discover abounding hints of urban agriculture sweeping across the concrete jungle. Hoophouses, beehives, edible landscapes, urban orchards, and rooftop gardens are persistently migrating from the city's rural counterparts into the dense urban core. Whether developed from new urbanist planning, job training programs, or an increasing interest in enhancing local food systems, the growing movement of urban agriculture and place making is daily becoming a larger part of the conversation for city-dwellers in the 21<sup>st</sup> century.

While the city of Grand Rapids is part and parcel of this national movement, currently no major document, strategy or governance body oversees this development and can provide rational and coherent recommendations to both the public and the private sector on Urban Agriculture.

The following text was taken verbatim from the Green Grand Rapids Report, published in 2008:

*Community Gardens Grand Rapids has a number of ordinances and policies that address, or have implications for, community gardening. These include, for example:*

- *the updated zoning code, which permits community gardens (by right) in the great majority of zoning classifications;*
- *Chapter 45 of Title III, Parks and Public Grounds, which establishes policies for "allotment gardens" on City-owned land;*
- *an Adopt-a-Park, Partnership and Sponsorship policy which establishes a framework for allowing community gardens in city parks;*
- *the Property Maintenance Nuisances code, which can be interpreted to limit community garden activities;*
- *a number of policies concerning the disposal of City-owned properties, and the acquisition and transfer of tax foreclosed property, which could be modified to make community gardens a priority for re-use.*

*Green Grand Rapids recommends that these and other relevant ordinances and policies be reviewed and updated to reduce or remove barriers to community gardening. **As there are many questions to be answered on how best to amend these policies, it would be appropriate to appoint an Urban Agriculture Committee, including knowledgeable gardeners and City staff, to prepare recommendations for City Commission review and approval.** In addition, the preparation of an inventory 18 of existing and potential City-owned community garden sites will be needed. Finally, the City could provide web-based information on available community garden sites and existing garden groups to help publicize local food activities and support knowledge-sharing. Other public agencies with significant land holdings, for example Grand Rapids Public Schools and Grand Rapids Housing Commission, can be encouraged to make land available, and provide "how to" support, for community gardens. In addition, community development programs 19 in lower income neighborhoods can*

*focus staff and funding resources on community gardening. Making community gardens available in these settings would provide opportunities for recreation, education, and youth employment, as well as fresh healthy food for children and families.*

*Making community gardens available in these settings would provide opportunities for recreation, education, and youth employment, as well as fresh healthy food for children and families. Even after the City has created the policy framework to facilitate community gardening, and helped to make land available, other frequently encountered barriers to establishing community gardens will still need to be overcome. These include, for example:*

- *the cost of garden preparation (clearing, tilling, water lines, fencing);*
- *the cost of water service;*
- *the cost of liability insurance;*
- *the cost of tools, equipment and other materials;*
- *education/training for gardeners and garden organizers.*

*Rather than expecting each individual garden group to find ways to overcome these barriers, **it would be more effective to have a community-wide (or regional) non-profit with the organizational capacity, resources and experience to raise funds (through grants, donations and sponsors) and provide programs to help address these issues.** A number of organizations exist in Grand Rapids today (including the Greater Grand Rapids Food Systems Council, the Blandford Center and Michigan State University Extension) which may become this “umbrella” organization. Ultimately, progress in creating such a non-profit, and expanding the number of gardens and garden groups, will depend largely on the interest and commitment of citizens who are willing to invest their own time, talent and resources in expanding the production of local, fresh food.*

Nearly four years after the approval of this document into the city’s master plan, the issues of urban agriculture are even more present in public discussions in Grand Rapids, and we believe the need for an Urban Agricultural Committee is even more necessary.

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## RESEARCH

In order to understand the movement of other municipalities and markets, three municipalities that are currently addressing UA through comprehensive ordinances were explored. Through researching UA policy in Chicago, Detroit, and Portland we discovered that though there is variation in individual ordinances, all three of these cities now have now made major inroads to address the concerns for planners and city officials around the growing issue of urban agriculture while simultaneously allowing for strong and persistent growth in UA work.

City of Chicago - September 2011 - Updated Urban Agriculture Language in existing Zoning Ordinance



City of Detroit - April 2013 - City of Detroit Urban Agriculture Ordinance  
City of Portland - June 13, 2012 - Urban Food Zoning Code Update

These three cities having developed comprehensive language around urban agriculture, another seven cities including Austin, Boston, Cleveland, Seattle, Baltimore, Milwaukee, and Minneapolis round out one publication's list of Ten American Cities Leading the Way with Urban Agriculture.

However, all ten of these cities have adjusted or adopted new zoning ordinances in the past six years to address this growing movement. This highlights the current national trend toward adoption of language to support the various urban agriculture and sets a strong national precedent for the adoption of comprehensive language to address the myriad of activities falling under urban agriculture for Grand Rapids.

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## CURRENT ZONING LANGUAGE

While no comprehensive ordinance exists, the language at the conclusion of this document was condensed from the current zoning plan and ordinances in regards to some of the activities commonly associated with UA.

City planners have expressed an interest in a review of policy to help guide urban agricultural initiatives into the future, but have been somewhat limited in their capacity to do so given the need to work on other pressing planning needs. However, it has often been expressed that this review of policy initiatives would be helpful moving into future years with an expectation that urban agricultural endeavors will likely increase in number.

For instance, per a conversation with the City of Grand Rapids Planning Department, while there have been many discussions around season extension structures (including greenhouses and hoophouses), they currently fall under the "accessory structures" part of the zoning ordinance. This categorization may be inappropriate if the City decides to amend the ordinance to expressly permit/regulate UA. This would provide the opportunity to distinguish between traditional accessory structures (ie. garages and sheds) and hoophouses for growing food and more specifically to consider allowing hoophouses covered with a plasticized material (currently not permitted) (K. Turkelson, personal communication, Sept 2, 2015).

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## POTENTIAL POLICY RECOMMENDATIONS

The Zoning Practice from the American Institute of Planners recommends asking the following questions when considering new urban agricultural zoning recommendations for a city:

- 1] What are the possible urban agriculture activities for our city?
- 2] What can be allowed in a widespread way with little controversy/
- 3] What can be allowed, but controlled?
- 4] What can be allowed, but only in some places?
- 5] Are there some places where specific activities should be particularly encouraged?
- 6] Who are the likely participants and how can positive relationship be fostered.

With this in mind, we suggest the following two proposals for future work:

**1] In alignment with the previous recommendations from Green Grand Rapids, consider appointment of an Urban Agriculture Task Force / Work Group to include individuals from the city, private business, and the non-profit sector to further explore recommendations to address the growing interest, need, and discussion around Urban Agriculture Zoning in the City of Grand Rapids.**

**2] Consider inclusion of a separate urban agriculture zoning ordinance to be both inclusive of existing zoning but also to make exceptions where it best serves urban agricultural initiatives.**

While planners interact with the “good, bad, and the ugly” of new urban agriculture projects, it is important that future consideration of these structures include input from subject matter experts, planners, city zoning officials, and representatives from the private and non-profit sector in order to encourage long-term solutions that adapt to an evolving market while also upholding the integrity and goals of the City Zoning Ordinance and Planning Documents.

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## PARTNERS

There are currently a large number of partners in the community who are involved in urban agriculture who hold valuable insights on the implications of for UA policy in Grand Rapids. These organizations include the Baxter Community Center, Our Kitchen Table, New City Urban Farm, Well House, The Grand Rapids Urban Growers Group, Blandford Nature Center, The YMCA, Seeds of Promise, Kids Food Basket, Wild Mitten Honey, SECOM, Treehouse Gardens, and Thomas St. Community Garden among many others.



This report will be open for public comment and we will encourage individuals from these and other area organizations to provide their input between September 15 and October 1. This will help refine any additional considerations so that we may revise any recommendations prior to our final proposal to the City Commission.

## **ABOUT URBAN ROOTS**

In the past three years, Urban Roots Farm LLC, now Urban Roots GR, has focused on developing functional and resilient models of decentralized urban agriculture. In August of 2015, we reorganized as a Michigan non-profit corporation and are now pursuing our 501(c)3 tax exempt status.

We believe that urban agriculture is the vehicle and the means by which we can simultaneously address complex and deeply connected issues of food access, justice, and community education.

## Sources

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## CURRENT ZONING / ORDINANCES

### Animals - Chapter 155, Art. 3

Sec. 9.218. - Animals.

(1) Domestic Animals. For purposes of this Chapter, "domestic animal" or "domestic animals" shall mean any animal that is not likely to bite without provocation and/or is not likely to cause death, maiming or illness of a human, including but not limited to the following: bird (caged), cat (domestic), chinchilla, ferret, dog (domestic), fish, lizard (non-venomous), snake (non-venomous), spider (non-venomous or non-poisonous).

(2) Farm Animals.

a. For purposes of this Chapter, the term "farm animal" or "farm animals" shall mean any horse, swine, cattle, sheep, goat, llama, chicken, goose, duck or turkey. The term "farm animal" or "farm animals" shall also mean any other animal raised for commercial profit or slaughter, and shall include more than two breeder rabbits.

b. No farm animal shall be kept or allowed to be kept within any dwelling or dwelling unit.

c. Except for chickens as provided below, no farm animal shall be kept or allowed to be kept within one hundred (100) feet of any dwelling or dwelling unit.

d. No farm animal shall be kept or allowed to be kept within one hundred (100) feet of any well, spring or stream.

e. No farm animal shall be kept or allowed to be kept within fifty (50) feet of any stormwater catch basin which is located on private property. For purposes of this Section, stormwater catch basins located within a public or private street shall not be counted.

(3) Wild Animals. Any animal that is not a domestic animal or farm animal, as defined by this Article, is a wild animal, and shall not be kept or allowed on any property in the City of Grand Rapids.

(4) Care and Keeping of Animals. If an occupant or owner keeps or allows animals within a dwelling, in a yard, in a structure, or upon a property, the occupant or owner shall remove any odorous or unsanitary condition. The property owner shall be responsible for the repair of any damage to the dwelling, structure or yard caused by the animals and shall be responsible for any unsafe condition.

(5) Exemption for John Ball Zoo. The requirements of this Chapter shall not apply to the John Ball Zoo.  
(Ord. No. 2015-13, § 1, 2-24-15)

### Bees (Apiculture) - Chapter 155, Art. 3

Sec. 9.212. - Where Kept.

No person shall keep, harbor or raise any bees in or upon any premises within the City unless in a hive or box located and kept:

(a) More than one hundred fifty (150) feet from any residence, hospital, sanitarium, school, church, office building, store, hotel, apartment house, rooming house or any place of habitation, and

(b) Not less than one hundred (100) feet from the edge of his or her own lot or property line.

(Ord. No. 2003-06, § 1, 1-28-03)

Sec. 9.213. - Flight Path.

Any person raising bees within the City shall maintain around each box or hive a hedge, shrubbery, solid fencing or other device at least six (6) feet in height suitable to cause such bees to maintain a sufficiently high flight path so as to be above the head of an average human being when exiting and entering their hives. Provided, however, that this Section shall not be applicable where the bee hive or box is located and kept three hundred (300) feet or more from the edge of the keeper's own lot or property line.

(Ord. No. 2003-06, § 1, 1-28-03)



## Aquaponics - Currently No Governing Ordinance

### Greenhouses - Section 5.2.09.

Detached Structures. All detached accessory structures shall comply with the following dimensional requirements:

1. Not be located closer to the front lot line than the main building.
2. Be located at least six (6) feet from the main building, excluding decks and patios.
3. Be located a minimum of three (3) feet from another accessory structure, excluding decks and patios.
4. For interior lots:
  - a. If located less than sixty (60) feet from the front lot line, a detached accessory structure shall not encroach into the required front yard and side yard setbacks for the Zone District.
  - b. If located sixty (60) feet or more from the front lot line and provided it is not closer to the front lot line than the main building, the wall(s) of a detached accessory structure shall be a minimum of three (3) feet from the side and rear lot lines. (NOTE: City building codes require certain fire safety measures if located less than five (5) feet from the lot line.)
5. Alley. An accessory structure shall be located at least three (3) feet from an alley right-of-way. See also Section 5.2.18. regarding driveways.
6. Administrative Departure. An Administrative Departure by the Planning Director may be approved to allow the minimum distance from the wall(s) of a detached accessory structure to the side or rear lot line to one (1) foot, provided a property survey and scaled site plan is submitted, where topography, natural features, or other site constraints exist, where there are no detrimental effects on adjacent properties, and where applicable fire safety provisions of the City's building codes are met.
- J. Additional Accessory Structure. In addition to the above accessory structure(s) provided for in Subsections H. and I. above, one (1) accessory structure, including an enclosed play structure, of one hundred twenty (120) square feet or less and fourteen (14) feet in height may be erected in the rear yard on a residential lot.
- K. One (1) Acre Lots. For a lot that is one (1) acre or larger, an Administrative Departure may be granted to permit one (1) detached and one (1) attached structure of up to one thousand two hundred (1,200) square feet each.
- L. Prohibited Structures. No mobile home, trailer, vehicle, tank, boat, container, railroad car, dumpster, barrels, crate, furniture, tent, junk object or salvage materials or similar items shall be utilized as an accessory structure or storage structure.
- M. Encroachment. Accessory structures shall not be located within an easement or dedicated right-of-way.
- N. Minimum Greenspace. Accessory structures are subject to minimum greenspace calculations as established within each Zone District.
- O. Accessory Dwelling Unit. Living or sleeping quarters, temporary or permanent, in an accessory structure or other rear building, travel trailer, motor home or other recreation vehicle, auto chassis, boat or portable building, are prohibited unless developed as an Accessory Dwelling Unit.
- P. Height of Accessory Dwelling. The height of an accessory structure may be increased to twenty-five (25) feet with permission from the Planning Commission as part of a Special Land Use approval for an Accessory Dwelling.
- Q. Administrative Departure. An Administrative Departure may be granted by the Planning Director for accessory structure height, where architectural compatibility with the main building could not otherwise be achieved.

(Ord. No. 2009-09, §§ 7—10, 3-24-09; Ord. No. 2012-23, §§ 1, 2, 5-15-12)

### Hoophouses - see Greenhouses above

See greenhouses above.



## Composting - Chapter 151, Article 8

Sec. 9.108. - Nuisances Prohibited on Public and Private Property.

The following conditions are declared a public nuisance. All property within the City, whether occupied or vacant, improved or unimproved, shall be maintained by the owner free of the following nuisances:

- (1) Ragweed, poison ivy, poison sumac, poison oak and similar plants.
- (2) Any grass, weeds or undergrowth higher or longer than twelve (12) inches, subject to the following exceptions. Grass, weeds and undergrowth higher or longer than twelve (12) inches are permitted only in the following locations:
  - (a) On portions of undeveloped property behind a wooded tree line.
  - (b) On portions of unsubdivided lands more than twenty-five (25) feet from a public sidewalk or a street open to the public.
  - (c) On portions of undeveloped lots in a subdivision less than sixty (60) percent developed lying more than twenty-five (25) feet from a public sidewalk or public street.
- (3) Any bush, shrub, tree or other vegetation or portion thereof obstructing the line of vision or interfering with passage of pedestrians or motorists on a sidewalk, walkway, driveway or street.
- (4) Stagnant or Unsanitary Water.
- (5) Garbage or rubbish or any other unhealthy, hazardous or offensive condition, object or substance, subject to the following exceptions. Residential composting, as that term is defined in this Chapter, shall be permitted subject to the following conditions:
  - (a) Residential composting is only permitted on the premises of an occupied residential dwelling.
  - (b) The compost may not contain animal waste, meat, bones, grease, oils, fats, or cooked foods of any kind.
  - (c) The compost must be completely contained in a fully enclosed and commercially manufactured compost receptacle.
  - (d) The compost receptacle must be located in the rear yard of the residential dwelling.
  - (e) The compost receptacle must be kept tightly covered except when opened for deposit or removal of compost materials.
  - (f) The compost receptacle shall have a capacity of no greater than 64 cubic feet.
  - (g) The compost receptacle shall be constructed of rigid and durable materials, which shall not include any of the following: burlap, tarp, vehicle tires, wire mesh, chicken wire, flexible fencing material of any kind, or any substantially similar materials.
- (6) Any dead tree or any portion thereof, or any dying tree that presents a hazard to any member of the public or to property.
- (7) Any Unsecured Building. An unoccupied or vacant building, structure or part thereof shall be kept secured by the owner against unauthorized entry and water damage. Boarding shall be done in a manner and with materials as specified in Section 9.110 of this Code.
- (8) Personal Property, Belongings, Furnishings or Equipment Left in the Right-of-Way or Between the Principal Building and the Right-of-Way. Personal property of any kind, including but not limited to personal belongings, interior furnishings and equipment, shall be deemed to be abandoned, of no value and unlawful if placed at or left for more than twenty-four (24) hours on any public right-of-way or on any part of a property lying between the principal building and a public right-of-way, except as specifically permitted by this Code. Personal property placed in the public right-of-way pursuant to a court-ordered eviction is subject to immediate removal forty-eight (48) hours after being placed in the right-of-way.
- (9) Refrigerators, Freezers, or Similar Equipment Providing Enclosed Spaces. A refrigerator, an airtight container, a tank with an open access hole and any other contrivance or property which encloses or substantially encloses a space is declared to be an unlawful and immediate hazard, a nuisance and a violation of this Code if placed anywhere outdoors in a manner which could result in injury or death. Such declared hazard, space or equipment may be abated as an emergency without notice. Upon making harmless a violation of this Section, the City shall issue a notice to abate the violation as set forth in Section 9.111 of this Chapter.
- (10) Failure to Maintain Alleys, Parkways, or Property Abutting Public Right-of-Ways. Every owner shall be responsible for maintaining the following public access areas abutting their property in compliance with this Article, including the following:
  - (a) The sidewalk and parkway to the curb or street pavement, except for dead trees;

- (b) A public or utility easement to the centerline;
  - (c) An alley or alleyway to the centerline, except for standing or stagnant water.
  - (11) Inoperable, Unlicensed or Unregistered Vehicles. No more than one (1) operable vehicle, that is unlicensed or unregistered shall be located outdoors for more than seven (7) days on a property with a residential or commercial structure. Such vehicle must be located behind a dwelling or commercial building. Inoperable, unlicensed or unregistered vehicle storage is prohibited on any vacant property, whether a structure exists on the property or not.
  - (12) Outdoor Furniture. Any furniture or furnishings manufactured or intended to be for indoor use and is not constructed to be used outdoors, shall not be placed within the yard or on any unenclosed porch or similar area that will allow access for vermin, weather or arson."
- (Ord. No. 2006-32, § 1, 6-6-06; Ord. No. 2010-30, § 1, 6-22-10; Ord. No. 2013-44, §§ 2, 3, 9-10-13, eff. 10-1-13)

## Community Gardens - Chapter 45, Sec. 3.

### Chapter 45 - ALLOTMENT GARDENS

#### Sec. 3.95. - Statement of Policy.

It is the policy of the City of Grand Rapids to promote gardening and to provide garden plots for occupants of property in the vicinity of areas where garden plots may be available for use during the growing season for the growing of flowers and vegetables, minimizing noxious weeds and debris, to beautify and enhance the City and its neighborhood, to promote health, welfare and recreation and to utilize public property not presently needed for public purposes and such private property as may be available and under the control and direction of the City.  
(Ord. No. 75-26, 3-25-75)

#### Sec. 3.96. - City Property, Use of For Garden Plots.

Those properties not being used by the City, which it may own, shall be annually catalogued as to their availability and utility for garden plots and the City Manager, by suitable means, shall make such plots available to the public on a first-come-first-served basis by the issuance of a One Dollar (\$1.00) permit for a gardening plot.  
(Ord. No. 75-26, 3-25-75)

Secs. 3.97—3.99. - Reserved.

## Chickens - Code of Ordinances, Chapter 155, Art. 4

### Sec. 9.219. - Chickens.

For a period of two (2) years from the effective date of the ordinance that adopted this Article, chickens may be kept in the City according to the following conditions:

- (1) Chickens may only be kept on a lot containing a single-family or two-family dwelling. No person shall allow chickens to be kept on a lot containing a multi-family dwelling.
- (2) Chickens may only be kept on a lot which is at least 3,800 square feet in size.
- (3) Chickens may only be kept by an occupant of a dwelling unit located on the real property on which the chickens are kept.
- (4) Chickens must be kept in and confined in a properly designed and constructed coop or chicken house, or a fenced and covered enclosure, which may be located only in the "rear yard" of the property, as that term is defined in Chapter 61 of this Code, known as the Zoning Ordinance.
- (5) Each fenced and covered enclosure shall be designed with adequate yard space for each chicken, and the coop or chicken house and the fenced and covered enclosure combined shall not cover more than 50% of the rear yard. Enclosures must be clean and resistant to predators and rodents.
- (6) Each fenced and covered enclosure shall be located at least ten (10) feet from any lot line.



- (7) No person shall keep or allow to be kept more than four (4) chickens on a lot which is less than 5,000 square feet in size.
- (8) No person shall keep or allow to be kept more than six (6) chickens on a lot which is 5,000 square feet or greater in size.
- (9) Chicken feed must be in rodent resistant and weather proof containers.
- (10) Chickens may not be butchered, slaughtered, or otherwise killed, for any reason or any purpose, on any real property on which chickens may be kept pursuant to this ordinance.
- (11) The person keeping the chickens shall abide by all health and safety standards of the City's Property Maintenance Code.
- (12) Roosters are expressly prohibited, regardless of the age or maturity of the bird.

(Ord. No. 2015-13, § 1, 2-24-15)

Sec. 9.220. - Chicken Permits.

Any person wanting to keep chickens within the City shall first apply for and obtain a permit from the City Manager or his/her designee, before that person may legally keep chickens within the City. Regulations pertaining to permits shall be as follows:

- (1) Any person applying for a permit to keep chickens within the City shall submit a permit application on a form promulgated by the City Manager or his/her designee, and shall pay an application fee established by resolution of the City Commission.
- (2) If the applicant is not the owner of the real property on which he or she wants to keep chickens, the applicant must provide the written consent of the owner of the real property. Without such written consent, the permit application may not be granted.
- (3) Once a completed application form, application fee, and written consent of the owner of the real property have been submitted to the City Manager or his/her designee, the City shall within ten (10) business days send written notice of the application for a permit to keep chickens to the following:
  - a. The physical property address of all adjacent real properties. For purposes of this subsection, "adjacent real properties" shall include all properties sharing a common lot line with the real property on which chickens are proposed to be kept, but shall not include properties sharing only a common corner point, without footage on a common lot line.
  - b. The address of record for the owner of all adjacent real properties, if that address of record is different from the physical property address.
  - c. If the chickens are proposed to be kept on a lot containing a two-family dwelling, written notice of the application for a permit to keep chickens shall also be sent or delivered to the physical property address of the other unit within that two-family dwelling.
- (4) If the City Manager or his/her designee receives an objection to the issuance of a permit from any person required to be notified of the permit application, within twenty-one (21) days from mailing the written notice of the permit application, then the permit application may not be granted.
- (5) If the City Manager or his/her designee receives no objections to the issuance of a permit from any person required to be notified of the permit application, within the appropriate time period as specified above, he or she shall review the permit application in light of the following factors:
  - i. The number of chickens the applicant desires to keep;
  - ii. The size of the lot on which chickens are proposed to be kept;
  - iii. The adequacy of the applicant's plans for housing and confining the chickens; and
  - iv. Other factors relevant to the applicant's particular circumstances.
- (6) If the City Manager or his/her designee grants the request for the permit, he/she shall do so in writing, which writing shall state the property address at which chickens may be kept, as well as the number of chickens allowed to be kept, and any other conditions of the permit to keep chickens.
- (7) If the City Manager or his/her designee denies the request for the permit, he/she shall do so in writing, which writing shall state the reasons for such denial.



- (8) If the City Manager or his/her designee denies the request for the permit, the provisions of City Code Section 7.16 regarding appeals from license and permit denials shall apply.
- (9) An initial permit shall be valid for a period of one (1) year. If, in the judgment of the City Manager or his/her designee, the permittee has abided by all ordinance provisions and permit conditions, and has not created a nuisance to the owners or occupants of adjacent properties or the neighborhood, the permit may be renewed for an additional one (1) year period. However, no permit issued pursuant to this ordinance shall remain valid past the date on which this ordinance either expires or is repealed, whichever is earlier.
- (10) Any permit may be suspended or revoked by the City Manager or his/her designee, by written notice to the permit holder, upon a finding that the permittee has violated applicable City ordinance provisions or permit conditions.
- (11) If the City Manager or his/her designee suspends or revokes a permit, the provisions of City Code Section 7.14 regarding suspension and revocation of permits and licenses shall apply.
- (12) A permit as described above is personal to the applicant. Such a permit may not be transferred to another individual. If ownership of the underlying real property on which the chickens are kept is transferred, the permit does not run with the land, and a person desiring to keep chickens on the property must apply for a new permit. (Ord. No. 2015-13, § 1, 2-24-15)

## Farm Stands / Farmers Markets - Article 9, Section 5.9.32

Outdoor Seasonal Sales and Farmers' Markets. The outdoor sale of agricultural products is permitted, subject to the following definitions and requirements:

1. Seasonal Sales. Seasonal sales shall be defined as the temporary outdoor sale of a limited range of seasonal agricultural products (e.g. pumpkins in October, Christmas trees in November-December, etc.). Seasonal sales are usually provided by one (1) vendor.
  - a. Seasonal sales are permitted in mixed-use commercial Zone Districts, and in all other Zone Districts on lots approved for educational, government or institutional uses.
  - b. The maximum duration of seasonal sales shall be forty-five (45) consecutive days, not to exceed two (2) events in a period of twelve (12) consecutive months.
  - c. A minimum pedestrian walkway of at least five (5) feet in width along the front of the display/sales areas shall be maintained.
2. Farmers' Markets. Farmers' markets shall be defined as the temporary outdoor sale of an array of agricultural products and hand-made goods for an extended period. Farmers' markets are usually provided by a number of vendors, each occupying one (1) or more stall spaces.
  - a. Farmers' markets are permitted in mixed-use commercial Zone Districts, and in all other Zone Districts on lots approved for educational, government or institutional uses.
  - b. The maximum duration of a farmers' market shall be nine (9) consecutive months out of a year in mixed-use commercial Zone Districts.
  - c. In all other Zone Districts the maximum duration of the farmers' market shall be nine (9) months. Activity is limited to no more than three (3) days per week, from 7:00 a.m. to 7:00 p.m. Expansion of the number of days or hours of operation is subject to the Special Land Use procedures of Section 5.12.12.
  - d. Items available for sale shall be limited to products obtained primarily through farming or agricultural activities such as:
    - i. Farm produce (e.g. fruits, vegetables, grains, nuts, fresh flowers and bedding plants, trees and forest products, Christmas trees).
    - ii. Fresh meat, eggs and dairy products.
    - iii. Food products hand crafted by the vendor or a family member (e.g. cheese, baked goods, honey, etc.)
    - iv. No more than twenty (20) percent of the sales area may be used for the sale of hand-made craft items (e.g. jewelry, pottery, wearing apparel, fine arts, etc.).
    - e. A minimum pedestrian walkway of at least five (5) feet in width along the front of the display/sales areas shall be maintained.



3. Food Preparation or Cooking. With the exception of the TN-CC Zone District, outdoor food preparation or cooking is prohibited within two hundred (200) feet of a residential use. Cooking apparatus shall be separated from areas of pedestrian movement, and smoke emissions shall not impair pedestrian or vehicular sight distances or serve as a distraction at street intersections.

## **Urban Farms - Currently No Governing Ordinance**